

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

CHRISTOPHER MORRIS

PETITIONER

V.

CIVIL ACTION NO. 3:22-cv-280-TSL-MTP

BURL CAIN

RESPONDENT

ORDER

This cause is before the objections of petitioner Christopher Morris to the report and recommendation entered by Magistrate Judge Michael T. Parker on July 31, 2023, recommending that Morris' petition for writ of habeas corpus under § 2254 be dismissed with prejudice. Having reviewed the objections,¹ the court concludes that they should be overruled and that the report and recommendation should be adopted as the opinion of the court.

IT IS, THEREFORE, ORDERED that petitioner's objections are overruled and the report and recommendation of United States Magistrate Judge Michael T. Parker entered on July 31, 2023, and the same is hereby adopted as the opinion of this court. Accordingly, the petition for writ of habeas corpus, filed pursuant to § 2254, is hereby dismissed.

¹ As was the case with his earlier filings before the magistrate judge, petitioner's objections fail to address the appropriate standard for review by this court, see 28 U.S.C. § 2254(d). The objections reurge the grounds in the petition which were thoroughly addressed and rejected in the report and recommendation.

It is further ordered that a certificate of appealability is denied. Petitioner has failed to demonstrate that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right," nor has he shown that "jurists of reason would find it debatable whether [this] court was correct in its procedural ruling[s]." Slack v. McDaniel, 529 U.S. 473, 484, 120 S. Ct. 1595, 146 L. Ed. 2d 542 (2000).

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 18th day of October, 2023.

/s/ Tom S. Lee_____
UNITED STATES DISTRICT JUDGE